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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IYO. INC.,

Plaintiff,

vs.

IO PRODUCTS, INC., OPENAI, INC.,  
OPENAI, LLC, SAM ALTMAN, and SIR  
JONATHAN PAUL IVE,

Defendant.

Case No. 3:25-cv-04861-TLT

**DECLARATION OF SARA L. POLLOCK  
IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO MOTION FOR ORDER  
TO SHOW CAUSE RE CONTEMPT**

The Hon. Trina L. Thompson  
Hearing: September 9, 2025 at 10 am

**DECLARATION OF SARA L. POLLOCK**

I, Sara L. Pollock, declare as follows:

1. I am an attorney licensed to practice in the State of California and am a partner of the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendants io Products, Inc. (“io”), OpenAI, Inc., OpenAI, LLC, and Sam Altman. I make this declaration in support of Defendants’ Opposition to Motion for Order to Show Cause Re Contempt. I have personal knowledge of the matters set forth in this declaration, and if called as a witness, I would testify competently to them.

**Plaintiff Did Not Raise Any Issue With The July 9 Merger Announcement Before Filing Its Motion**

2. July 10, 2025 was the deadline for filing the parties’ joint case management statement. Leading up to the filing, Defendants’ counsel exchanged multiple emails with Plaintiff’s counsel related to the statement. That evening, I met and conferred with Plaintiff’s counsel, Andrew Skale, via two telephone calls regarding the parties’ joint case management statement. I understand that my colleague Vicki Parker had a later, additional call with Plaintiff’s counsel leading up to the filing of the joint case management statement. At no point during our communications did Plaintiff request that Defendants make any changes to the July 9, 2025 merger announcement, express that Plaintiff believed Defendants to be in violation of the Court’s June 20, 2025 Order Granting Plaintiff’s Motion for Temporary Restraining Order (the “Order”), or inform us that Plaintiff intended to file a motion for contempt. Nor did Plaintiff’s counsel identify this motion in the section of the joint case management statement titled, “Motions,” which the Standing Order for All Judges of the Northern District of California Contents of Joint Case Management Statement requires to identify “[a]ll prior and pending motions, their current status, and *any anticipated motions.*” (emphasis added).

3. Less than 15 hours after filing the joint case management statement, on July 11, 2025, Plaintiff filed its Motion for Order to Show Cause Re: Contempt and Sanctions. At no point prior to filing did Plaintiff seek to meet and confer with Defendants regarding its allegations that Defendants’ July 9, 2025 merger announcement violated the Order.

1 **Plaintiff's Press Release**

2 4. Attached hereto as **Exhibit A** is a true and correct copy of a press release entitled  
 3 "iyO, Inc. Filed Motion Against io Products, OpenAI, Sam Altman and Jony Ive For Violation of  
 4 Court-Ordered TRO," dated July 15, 2025, as captured from [https://www.prnewswire.com/news-](https://www.prnewswire.com/news-releases/iyo-inc-filed-motion-against-io-products-open-ai-sam-altman-and-jony-ive-for-violation-of-court-ordered-tro-302506031.html)  
 5 [releases/iyo-inc-filed-motion-against-io-products-open-ai-sam-altman-and-jony-ive-for-violation-](https://www.prnewswire.com/news-releases/iyo-inc-filed-motion-against-io-products-open-ai-sam-altman-and-jony-ive-for-violation-of-court-ordered-tro-302506031.html)  
 6 [of-court-ordered-tro-302506031.html](https://www.prnewswire.com/news-releases/iyo-inc-filed-motion-against-io-products-open-ai-sam-altman-and-jony-ive-for-violation-of-court-ordered-tro-302506031.html) on July 23, 2025.

7 **Public Speculation About Defendants' Possible Product**

8 5. Attached hereto as **Exhibit B** is a true and correct copy of a Business Insider article  
 9 entitled, "What will Jony Ive's ChatGPT device be? We rounded up the best guesses on what he's  
 10 cooking up for OpenAI," dated May 28, 2025, as captured from [https://www.businessinsider.com/](https://www.businessinsider.com/jony-ive-device-openai-io-guesses-sam-altman-chatgpt-2025-5)  
 11 [jony-ive-device-openai-io-guesses-sam-altman-chatgpt-2025-5](https://www.businessinsider.com/jony-ive-device-openai-io-guesses-sam-altman-chatgpt-2025-5) on July 23, 2025.

12 6. Attached hereto as **Exhibit C** is a true and correct copy of a compilation of the  
 13 images available through the links embedded in Exhibit B.

14 7. Attached hereto as **Exhibit D** is a true and correct copy of an article entitled "What  
 15 to Expect (and Not Expect) From OpenAI and Jony Ive's AI-Centric 'Screenless Phone,'" dated  
 16 May 24, 2025, as captured from [https://www.cnet.com/tech/mobile/what-to-expect-and-not-expect-](https://www.cnet.com/tech/mobile/what-to-expect-and-not-expect-from-openai-and-jony-ives-ai-centric-screenless-phone/)  
 17 [from-openai-and-jony-ives-ai-centric-screenless-phone/](https://www.cnet.com/tech/mobile/what-to-expect-and-not-expect-from-openai-and-jony-ives-ai-centric-screenless-phone/) on July 24, 2025, which states "we remain  
 18 for now in the dark as what this first piece of OpenAI hardware will look like, how it will function,  
 19 and how it will fit into our lives," and, "This not-a-phone, not-a-wearable currently exists to us only  
 20 as an amorphous third thing -- and likely will do for some time yet."

21 **The Acquisition Of io Products, Inc.**

22 8. Attached hereto as **Exhibit E** is a true and correct copy of an article entitled "OpenAI  
 23 to acquire AI device startup io for \$6.5bn," dated May 22, 2025, as captured from  
 24 <https://finance.yahoo.com/news/openai-acquire-ai-device-startup-102618299.html?guccounter=1>  
 25 on July 25, 2025, which states "[t]he acquisition includes \$5bn in OpenAI equity for io, with the  
 26 remaining value tied to a partnership formed in the fourth quarter of last year, when OpenAI  
 27 acquired a 23% stake in the startup."

1 I declare under penalty of perjury of the laws of the United States of America that the  
2 foregoing is true and correct.

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5 Executed on July 25, 2025 at Redwood Shores, California.

6 /s/ Sara L. Pollock

7 Sara L. Pollock  
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